IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

FRIDAY, THE 16TH MARCH 2007 / 25TH PHALGUNA 1928

WP(C).No. 28907 of 2003(N)

PETITIONERS:

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1. **P.V.VISWANATHAN, S/O. CHATHU VYDIAR,**
   AGED 50 YEARS, PAREMBRAVAYALIL HOUSE,
   P.O.NANMINDA, KOZHIKODE DISTRICT.

2. **RAMAKRISHNAN S/O. PRABHAKARAN,**
   AGED 31 YEARS, METHALECHARIVALA HOUSE,
   P.O.PANANGAD BALUSSERI KOZHIKODE DISTRICT.

3. **K.MADHUSOODHANAN,**
   S/O. CHANDRASEKHARAN VYDIAR, AGED 63 YEARS,
   KALARICKAL HOUSE, P.O.CIVIL STATION,
   CALICUT, KOZHIKODE.

4. **M.RAVEENDRAN, S/O. KUTTAN VYDIAR**
   AGED 43 YEARS, VADAKKINEDATH HOUSE,
   P.O.KAKOOR, KOZHIKODE DISTRICT.

5. **SUDHEER O.P., S/O. KUMARAN VYDIAR,**
   AGED 35 YEARS, OTTAPURACKAL HOUSE, P.O.KALLACHI
   VADAKARA, KOZHIKODE DISTRICT.

6. **ANANDAN M.M. S/O. CHEKKUTTY VYDIAR,**
   AGED 36 YEARS, MELAMADATHIL HOUSE,
   P.O.PYMBRA, KOZHIKODE DISTRICT.

7. **K.UNNI VYDIAR, AGED 72 YEARS,**
   MANNARAKUNNU PARAMBA, CHEVAYOOR P.O.,
   KOZHIKODE.

8. **PRABHODH KUMAR, S/O. SEHARAN VYDIAR,**
   PUZHAVAKKATH HOUSE, ELATHOOR, KOZHIKODE DISTRICT.

BY ADV. SRI.P.K.RAMKUMAR.

W.P.(C). NO.28907/2003:

RESPONDENTS:
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1. **THE ASSISTANT EXCISE COMMISSIONER,**
   KOZHIKODE.

2. **THE DISTRICT MEDICAL OFFICER (ISM),**
   KOZHIKODE.

BY GOVERNMENT PLEADER SMT. K.R. DEEPA.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 16/03/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C). NO.28907/2003:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P.1: COPY OF THE JUDGEMENT IN O.P. 35100/2002 PASSED BY THIS HONOURABLE COURT DT. 25/11/02.

EXT.P.2: COPY OF THE JUDGEMENT IN O.P. 1455/2003 PASSED BY THIS HONOURABLE COURT DT. 16/01/03.

EXT.P.3. SERIES (EXTS. P3A TO P3D): COPIES OF THE PROCEEDINGS ISSUED BY THE EXCISE COMMISSIONER IN FAVOUR OF PETITIONERS.

EXT.P.4: COPY OF THE DIVISION BENCH JUDGEMENT OF THIS HONOURABLE COURT PASSED IN O.P. 27784/02 (S).

//TRUE COPY//

prv.

KURIAN JOSEPH, J.

W.P.(C) No.28907 of 2003

Dated 16th March, 2007.

J U D G M E N T

In the matter of issuance of L3 licence under the provisions of the Medicinal and Toilet Preparations (Excise Duties) Act, 1955 there is already an interim order dated 31.3.2004 to issue the same, making it clear that the licence will not enable the petitioners to practise Ayurveda. The writ petition is hence disposed of in terms of the said interim order.

KURIAN JOSEPH, JUDGE.

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KURIAN JOSEPH, J

O.P.No. of 2002

J U D G M E N T

Dated 16th March, 2007.